

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

IN RE: JOHNSON & JOHNSON TALCUM  
POWER PRODUCTS MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY  
LITIGATION

No. 3:16-md-02738-MAS-RLS

**DECLARATION OF MATTHEW L. BUSH IN SUPPORT OF  
DEFENDANTS' OPPOSITION TO THE PLAINTIFF STEERING  
COMMITTEE'S MOTION TO QUASH OR FOR PROTECTIVE ORDER  
REGARDING SUBPOENA DIRECTED AT PAUL HESS**

I, Matthew L. Bush, declare as follows:

I am an attorney of the state of New York and a partner with the law firm King & Spalding LLP, counsel for Defendants Johnson & Johnson and LLT Management LLC (hereafter, "Defendants") in the above-captioned matter. The facts stated in this Declaration are true of my own personal knowledge. I submit this Declaration in support of Defendants' Opposition to the Plaintiff Steering Committee's Motion to Quash or for Protective Order Regarding Subpoena Directed at Paul Hess.

1. Attached hereto as **Exhibit A** is a true and correct copy of an excerpt of a transcript of a Rule 104 hearing regarding Dr. William Longo on May 29, 2024,

in *Clark et al. v. Johnson & Johnson, et al.*, No. MID-L-003809-18AS (N.J. Super. Ct., Middlesex Cnty.).

2. Attached hereto as **Exhibit B** is a true and correct copy of an excerpt of Dr. William Longo's deposition on January 25, 2019, in *Young v. Johnson & Johnson et al.*, No. 1522-CC09728-02 (M.O Cir. Ct., St. Louis).

3. Attached hereto as **Exhibit C** is a true and correct copy of an excerpt of trial proceedings from March 5, 2019, in *Rimondi v. BASF Catalysts LLC, et al.*, No. MID-2912-17AS (N.J. Super. Ct., Middlesex Cnty.).

4. Attached hereto as **Exhibit D** is a true and correct copy of an excerpt of trial proceedings from August 24, 2018, in *Weirick v. Brenntag N. Am., Inc., et al.*, No. BC656425, JCCP Case No. 4674 (Super. Ct. Ca., L.A. Cnty.).

5. Attached hereto as **Exhibit E** is a true and correct copy of an excerpt of Dr. William Longo's deposition on February 8, 2021, in *Forrest v. Johnson & Johnson, et al.*, No. 1522-CC00419-02 (M.O Cir. Ct., St. Louis).

6. Attached hereto as **Exhibit F** is a true and correct copy of an excerpt of Dr. William Longo's deposition on November 3, 2023, in *Eagles v. Arvinmeritor, Inc., et al.*, No. 22CV018294 (Super. Ct. Ca., Alameda Cnty.).

7. Attached hereto as **Exhibit G** is a true and correct copy of Judge Henry Thompson's Order Denying Materials Analytical Services, LLC's Motion to Quash a Foreign Subpoena and for Protective Order, issued on October 20, 2023, in

*Material Analytical Servs., LLC v. Johnson & Johnson, et al.*, No. 23106785 (Super. Ct. Ga., Cobb Cnty.).

8. Attached hereto as **Exhibit H** is a true and correct copy Dr. William Longo's report issued on February 28, 2023, in *Hernandez-Valadez v. Johnson & Johnson, et al.*, No. 22CV012759 (Super. Ct. Ca., Alameda Cnty.).

9. Attached hereto as **Exhibit I** is a true and correct copy of an excerpt of Dr. William Longo's deposition on January 7, 2019, in *Rimondi v. BASF Catalysts LLC, et al.*, No. MID-2912-17AS (N.J. Super. Ct., Middlesex Cnty.).

10. Attached hereto as **Exhibit J** is a true and correct copy of an excerpt of Dr. William Longo's deposition on September 25, 2020, in *Reyes v. Johnson & Johnson, et al.*, No. RG20052391 (Super. Ct. Ca., Alameda Cnty.).

11. Attached hereto as **Exhibit K** is a true and correct copy of an excerpt of Dr. William Longo's deposition on May 12, 2020, in *Zimmerman v. AutoZone Inc., et al.*, No. BC720153, JCCP Case No. 4674 (Super. Ct. Ca., L.A. Cnty.).

12. Attached hereto as **Exhibit L** is a true and correct copy of an excerpt of Dr. William Longo's deposition on May 16, 2023, in *Streck v. Johnson & Johnson, et al.*, No. 21-CI-06290 (Ky. Cir. Ct., Jefferson Cnty.).

13. Attached hereto as **Exhibit M** is a true and correct copy of an excerpt of Dr. William Longo's deposition on September 14, 2018, in *Allen v. Brenntag N. Am., Inc., et al.*, No. DR180132 (Super. Ct. Ca., Humboldt Cnty.).

14. Attached hereto as **Exhibit N** is a true and correct copy of an excerpt of Dr. William Longo's deposition on February 5, 2019 in the above-captioned case.

15. Attached hereto as **Exhibit O** is a true and correct copy of an excerpt of Dr. William Longo's deposition on October 30, 2023, in *Lanzo v. Cyprus Amax Minerals Co., et al.*, No. MID-L-7385-16AS (N.J. Super. Ct., Middlesex Cnty.).

16. Attached hereto as **Exhibit P** is a true and correct copy of an excerpt of Dr. William Longo's deposition on May 30, 2023, in *Zundel v. Amerilure, Inc., et al.*, No. 22-2145 (Mass. Super. Ct., Middlesex Cnty.).

17. Attached hereto as **Exhibit Q** is a true and correct copy of an excerpt of Dr. William Longo's deposition on April 2, 2024, in *Clark v. Johnson & Johnson, et al.*, No. MID-L-003809-18AS (N.J. Super. Ct., Middlesex Cnty.).

18. Attached hereto as **Exhibit R** is a true and correct copy of an excerpt of Dr. William Longo's deposition on February 12, 2019, in *Fong v. Imerys Talc Am., Inc., et al.*, No. BC 675449, JCCP Case No. 4674 (Super. Ct. Ca., L.A. Cnty.).

19. Attached hereto as **Exhibit S** is a true and correct copy of an excerpt of Dr. William Longo's deposition on February 20, 2024, in *Krich v. Johnson & Johnson, et al.*, No. 21STCV22952, JCCP Case No. 4674 (Super. Ct. Ca., L.A. Cnty.).

20. Attached hereto as **Exhibit T** is a true and correct copy of an excerpt of trial proceedings from July 23, 2019, in *Hayes v. Colgate-Palmolive Co., et al.*, No. 16-CI-03503 (Ky. Cir. Ct., Jefferson Cnty.).

21. Attached hereto as **Exhibit U** is a true and correct copy of an excerpt of Dr. William Longo's deposition on June 27, 2018, in *Von Salzen v. Am. Int'l Indus., Inc., et al.*, No. BC680576, JCCP Case No. 4674 (Super. Ct. Ca., L.A. Cnty.).

22. Attached hereto as **Exhibit V** is a true and correct copy of an excerpt of Dr. William Longo's deposition on April 17, 2019, in *Weirick v. Brenntag N. Am., Inc., et al.*, No. BC656425, JCCP Case No. 4674 (Super. Ct. Ca., L.A. Cnty.).

23. Attached hereto as **Exhibit W** is a true and correct copy of an excerpt of Dr. William Longo's deposition on September 15, 2023, in *Alexander-Jones v. Avon Prods., Inc.*, No. 22-2-18669-1-SEA (Super. Ct. Wa., King Cnty.).

24. Attached hereto as **Exhibit X** is a true and correct copy of an excerpt of Dr. William Longo's deposition on March 3, 2023, in *Hernandez-Valadez v. Johnson & Johnson, et al.*, No. 22CV012759 (Super. Ct. Ca., Alameda Cnty.).

25. Attached hereto as **Exhibit Y** is a true and correct copy of an excerpt of Dr. William Longo's deposition on May 7, 2021, in *Powers v. Beacon CMP Corp., et al.*, No. 2016-0983 (La. Dist. Ct., Lafayette Parish).

26. Attached hereto as **Exhibit Z** is a true and correct copy of an excerpt of Dr. William Longo's deposition on January 13, 2023, in *Weiss v. Albertsons Co., Inc. et al.*, No. CV2021-090946 (Super. Ct. Az., Maricopa Cnty.).

27. Attached hereto as **Exhibit AA** is a true and correct copy of an excerpt of Dr. William Longo's deposition on October 23, 2023, in *Eagles v. Arvinmeritor, Inc., et al.*, No. 22CV018294 (Super. Ct. Ca., Alameda Cnty.).

28. Attached hereto as **Exhibit AB** is a true and correct copy of an excerpt of a transcript of a Rule 104 hearing regarding Dr. William Longo on May 30, 2024, in *Clark et al. v. Johnson & Johnson, et al.*, No. MID-L-003809-18AS (N.J. Super. Ct., Middlesex Cnty.).

29. Attached hereto as **Exhibit AC** is a true and correct copy of Dr. Shu-Chun Su's report dated May 21, 2024, issued in the above-captioned case.

30. Attached hereto as **Exhibit AD** is a true and correct copy of Judge William Alsup's Order Setting Supplemental Briefing Schedule re: Motion to Exclude Testimony of Dr. Kemerer, issued on April 22, 2016, in *Oracle Am., Inc., v. Google, Inc.*, No. 3:10-cv-03561-WHA (N.D. Cal.).

31. Attached hereto as **Exhibit AE** is a true and correct copy of Defendant Google Inc.'s Motion in Limine No. 1 to Exclude Certain Testimony from Expert Report of Dr. Chris F. Kemerer, filed on March 23, 2016, in *Oracle Am., Inc., v. Google, Inc.*, No. 3:10-cv-03561-WHA (N.D. Cal.).

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 3, 2024

A handwritten signature in blue ink that reads "Matthew Bush". The signature is written in a cursive style with a large, stylized 'M' and 'B'.

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MATTHEW L. BUSH